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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,460	09/30/2003	Phillip E. Atwater	87342.1640	2001

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EXAMINER

COTTINGHAM, JOHN R

ART UNIT	PAPER NUMBER
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3679

DATE MAILED: 04/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/673,460

Applicant(s)

ATWATER ET AL.

Examiner

John R. Cottingham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 7-11, 15-19 and 21 is/are rejected.
- 7) ☒ Claim(s) 4-6, 12-14 and 20 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/29/03</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Objections

Claims 5 and 12-13, 15-19, and 21 are objected to because of the following informalities: claims 5 and 13 the term "said second fastener" lacks antecedent basis; and claim 12, the term "that that" should be --that--.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 7-11, 15-19, and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Brilmyer U.S. Patent 5,580,201. Brilmyer shows all of the claimed subject matter of a cam assembly in Figures 1-11.

Regarding claim 1, a cam assembly for mounting on a stationary member 119, comprising a sliding member 102 having a first slot 136 defined therethrough; a cam 86; and a first fastener 75 that extends through said first slot 136 in the sliding member to said stationary member 119, wherein said cam is operably coupled to said sliding member to direct longitudinal movement along said stationary member when said cam is rotated.

Regarding claim 2, the sliding member 102 further has a face slot defined thereon to retain said cam 86.

Regarding claim 3, a second slot (hole for bolt 77) defined through said sliding member 102.

Regarding claim 7, the stationary member 102 is fitted with threads 88 that mate with threads of said fastener 75.

Regarding claim 8, the stationary member has nuts 88 fitted with threads that mate with threads of said fastener 75.

Regarding claim 9, a method of making a position adjustment between a sliding member and a stationary member (as described in cols. 3-5), comprising: a rotating cam 86; a sliding member 102 having a first slot defined therethrough; and a tightening a first fastener 77 that extends through said first slot in said sliding member 102 to said stationary member 102, wherein said cam is operably coupled to said sliding member to direct longitudinal movement along said stationary member when said cam is rotated.

Regarding claim 10, the sliding member 102 further has a face slot defined thereon to retain said cam 86.

Regarding claim 11, a second slot 132 defined through said sliding member.

Regarding claim 15, the stationary member 102 is fitted with threads 88 that mate with threads of said fastener 77.

Regarding claim 16, the stationary member 119 has nuts (threaded holes for 77) fitted with threads that mate with threads of said fastener 77.

Regarding claim 17, a means for making a position adjustment between a sliding member 119 and a stationary member 102, comprising: a sliding means having a first slot 136 defined therethrough; a camming means 86; and a fastening means 77 that

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extends through said first slot in said sliding means to stationary member 119, wherein said camming means 86 is operably coupled to said sliding means 102 to direct longitudinal movement along said stationary member 119 when said camming means 86 is rotated.

Regarding claim 18, the sliding means 102 further has a face slot 86 defined thereon to retain said camming means 86.

Regarding claim 19, the sliding means 102 further comprises the sliding means 102 further comprises a second through slot 132.

Regarding claim 21, the stationary means 119 is fitted with threads (for bolt 77) that mate with threads of said fastening means.

Allowable Subject Matter

3. Claims 4-6, 12-14 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. F'Geppert U.S. Patent 4,266,591 and Councilman U.S. Patent 4,428,544 show similar inventions.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John R. Cottingham whose telephone number is (703) 306-3439. The examiner can normally be reached on Monday - Thursday, alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne H. Browne can be reached on (703) 308-1159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



John R. Cottingham
Primary Examiner
Art Unit 3679

jrc